



03-29-04

Express Mail No.: EV 316175229 US

Attorney Docket No. LIPO-001/00US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of David FIKSTAD *et al.*

Serial No.: 10/700,838

Examiner: Not yet assigned

Confirmation No.: 5766

Art Unit: 1614

Filed: November 3, 2003

**For: PHARMACEUTICAL COMPOSITIONS WITH SYNCHRONIZED  
SOLUBILIZER RELEASE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL**

Enclosed is an Information Disclosure Statement and accompanying Form PTO/SB/08A  
for the above-identified patent application.

In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is  
required.

A return receipt postcard is also enclosed.

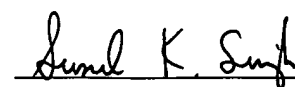
The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R.  
§§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to  
Deposit Account No. 03-3117.

Dated: March 25, 2004

Cooley Godward LLP  
ATTN: Patent Group  
Five Palo Alto Square  
3000 El Camino Real  
Palo Alto, CA 94306-2155  
Tel: (650) 843-5000 Fax: (650) 857-0663

Respectfully submitted,  
**COOLEY GODWARD LLP**

By:

  
Sunil K. Singh  
Reg. No. 45,298



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**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.

This Information Disclosure Statement is filed before the mailing date of a first office action on the merits.

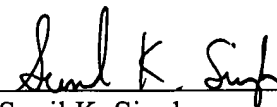
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

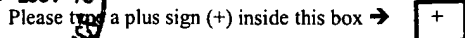
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**COOLEY GODWARD LLP**

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	10/700,838
				Filing Date	November 03, 2003
				First Named Inventor	David FIKSTAD
				Group Art Unit	1614
				Examiner Name	Not yet assigned
				Attorney Docket Number	LIPO-001/00US
Sheet	1	of	2		

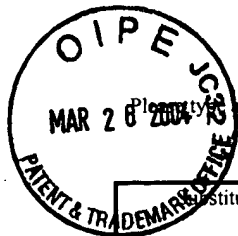
[illegible]

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

- <sup>1</sup> Unique citation designation number.  
<sup>2</sup> See attached Kinds of U.S. Patent Documents.  
<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).  
<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.  
<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.  
<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



Please type plus sign (+) inside this box → ☐

PTO/SB/08A (08-00)

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/700,838
				Filing Date	November 03, 2003
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				Examiner Name	Not yet assigned
Sheet	2	of	2	Attorney Docket Number	LIPO-001/00US

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	D1	LANGER, "New Methods of Drug Delivery," <u>Science</u> (1990) 249: 1527-1533.	
	D2	SAUDEK <i>et al.</i> , "A preliminary trial of the programmable implantable medication system for insulin delivery," <u>N. Engl. J. Med.</u> (1989) 321:574-579.	
	D3	SEFTON "Implantable pumps," (1987) <u>CRC Crit. Rev Biomed. Eng</u> 14(3): 201-240.	
	D4	TREAT <i>et al.</i> , in "Liposomes in the Therapy of Infectious Disease and Cancer," Lopez-Berestein and Fidler (eds.), Liss, New York, (1989) 353-365.	

Examiner Signature		Date Considered	
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674012 v1/PA

<sup>1</sup> Unique citation designation number.

<sup>2</sup> Applicant is to place a check mark here if English language Translation attached.